

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert F. BARGATZE *et al.*

Application No.: 09/913,855

Filed: March 1, 2001

For: ANTIBODIES AGAINST HYDROPHOBIC
PROTEINS THAT ARE PROTECTIVE
AGAINST CANDIDIASIS

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) Examiner: (Unassigned)

) Group Art Unit: 1645

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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the listed document is attached. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed document is material or constitute "prior art." If it should be determined that the listed document does constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

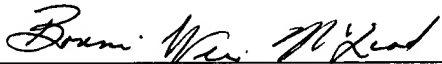
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

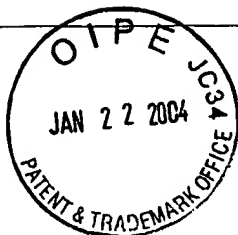
MORGAN, LEWIS & BOCKIUS LLP

Dated: January 22, 2004



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Reg. No. 43,255

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|-------------------|----------------|-------------|
| Atty. Dkt. No. | M# | Client Ref. |
| | 048984-5002-US | 6A-US |

**INFORMATION DISCLOSURE STATEMENT
 BY APPLICANT**

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|----------------------------|----------------------|
| Applicant: BARGATZE ET AL | |
| Appln. No.: 09/913,855 | |
| Filing Date: March 1, 2002 | |
| Examiner: Unassigned | Group Art Unit: 1645 |

Date: January 22, 2004 Page 1 of 1

U.S. PATENT DOCUMENTS

| Examiner's Initials* | Document Number | Date MM/YYYY | Name (Family Name of First Inventor) | Class | Sub Class | Filing Date (if appropriate) |
|-------------------------|--------------------|-----------------|---|-------|--------------|------------------------------------|
| | AR | | | | | |
| | BR | | | | | |
| | CR | | | | | |
| | DR | | | | | |
| | ER | | | | | |
| | FR | | | | | |
| | GR | | | | | |
| | HR | | | | | |
| | IR | | | | | |

FOREIGN PATENT DOCUMENTS

| | Document Number | Date MM/YYYY | Country | Inventor Name | English Abstract | | Translation Readily Available | |
|--|--------------------|-----------------|---------|---------------|---------------------|----|-------------------------------------|----|
| | | | | | Enclosed | No | Enclose | No |
| | JR | | | | | | | |
| | KR | | | | | | | |
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| | RR | | | | | | | |

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

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|----|---|---|--|--|
| SR | Glee et al., Colloids and Surfaces B: Biointerfaces, 5:181-188 (1995) | X | | |
| TR | | | | |
| UR | | | | |
| VR | | | | |
| WR | | | | |
| XR | | | | |

Examiner _____ Date Considered: _____

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.